

FIRST REGULAR SESSION

# HOUSE BILL NO. 763

## 98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HOUGHTON.

1828H.011

D. ADAM CRUMBLISS, Chief Clerk

### AN ACT

To amend chapter 252, RSMo, by adding thereto one new section relating to prohibited conduct by certain executive departments, with penalty provisions.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 252, RSMo, is amended by adding thereto one new section, to be known as section 252.350, to read as follows:

**252.350. 1. The commission and the department of conservation shall not engage in prohibited conduct with a connected not-for-profit corporation.**

**2. For purposes of this section, the following terms shall mean:**

**(1) "Connected not-for-profit corporation", any Missouri not-for-profit corporation that has obtained an exemption from paying federal income taxes as provided in section 501(c)(3) of the United States Internal Revenue Code of 1954, as amended, and whose primary or incidental purpose is to benefit the commission or the department of conservation by advancing the conservation and appreciation of Missouri's forest, fish, and wildlife resources;**

**(2) "Prohibited conduct", entering into any contractual relationship with, or providing or receiving anything of value with or without compensation including, but not limited to, professional or clerical services, work product, money, personal or real property, or property rights. Prohibited conduct shall not include activities incidental to the provision of licenses, permits, public information, or any other item the state is expressly required to provide under law.**

**3. Any person damaged due to a violation of this section by the commission or the department of conservation may bring suit to enforce the provisions of this section in any**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 court of competent jurisdiction. The court may award declaratory and injunctive relief.  
19 If the person bringing the suit is the prevailing party, they may be awarded reasonable  
20 attorney's fees and court costs.

21 4. Any person who knowingly and willfully violates the provisions of this section  
22 shall be guilty of a class B misdemeanor.

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